

EXHIBIT D-1

**Letter from Counsel for Plaintiff United
States to Attorneys for Proposed
Intervenors-Plaintiffs**

(Sept. 21, 2023)



U.S. Department of Justice

Environment and Natural Resources Division

Environmental Enforcement Section
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VIA E-MAIL

September 21, 2023

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Re: United States of America v. City of Jackson, Mississippi
Civil Action No. 3:22-cv-00686-HTW-LGI (USDC S.D. Miss)

Dear Counsel:

Thank you for your e-mail of September 20, 2023, sharing your clients' [proposed] complaint in intervention as to certain claims asserted by the United States in its complaint against the City of Jackson (the United States' 4th, 5th, and 6th claims for relief). The United States consents to your intervention as to these claims.

However, please be on notice that we reserve all rights as to the role of the interveners in the lawsuit. For example, we are unlikely to agree that the stay should be lifted or that discovery or motion practice should commence, or that a trial date be set. We will likely oppose any attempts to conduct discovery or seek any other relief against the United States, the State of Mississippi, the Interim Third-Party Manager, or JXN Water. And we reserve our rights to negotiate any of our claims with the Defendant as we see fit.

We respectfully request that you attach a copy of this letter to the motion papers you file along with the complaint in intervention.

Sincerely,

Karl Fingerhood

Karl Fingerhood
Senior Counsel,
Environmental Enforcement Section
Environment & Natural Resources Division
U.S. Department of Justice

cc by E-Mail:

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